

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALEX BERENSON,

Plaintiff,

v.

JOSEPH R. BIDEN, JR., *et al.*,

Defendants.

No. 23 Civ. 3048 (JGLC)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of the Federal Defendants' Motion to Dismiss the First Amended Complaint, the Federal Defendants, by their attorney, Damian Williams, United States Attorney for the Southern District of New York, hereby move this Court for an order dismissing the First Amended Complaint against them in full pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.¹

Dated: October 11, 2024
New York, New York

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Alyssa B. O'Gallagher
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¹ Plaintiff Alex Berenson's motion for leave to amend should be denied as futile, at least as to the Federal Defendants, for the reasons stated in the Federal Defendants' Motion to Dismiss the First Amended Complaint.